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Security Council Committee established pursuant to resolution 751 (1992)

Note verbale dated 8 July 2002 from the Permanent Mission of Bulgaria to the United Nations addressed to the secretariat of the Committee

The Permanent Mission of the Republic of Bulgaria to the United Nations presents its compliments to the secretariat of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia and has the honour to submit the following information on the measures undertaken by the Republic of Bulgaria to ensure the full and effective implementation of the arms embargo against Somalia.

There is currently in effect a Law on Foreign Trade in Arms and Dual Use Goods and Technologies in Bulgaria, which provides the terms and order in which foreign trade in arms and dual-use goods and technologies and the control of the State over these activities can be conducted.

According to article 4, paragraph 1, subparagraph 3 of the Law, the Republic of Bulgaria can introduce restrictions and impose bans on foreign trade in arms and dual-use goods and technologies when the State has become party to international conventions on the non-proliferation of arms or when it has assumed such obligations on the basis of membership in international organizations, as well as when the United Nations Security Council has imposed sanctions against a specific State.

According to article 9, paragraph 2, of the Law, foreign trade in arms and dual-use good and technologies, for which there are restrictions imposed under article 4, is conducted on the basis of a permit for each transaction, issued by an authority specified by the Council of Ministers and headed by a Minister.

This authority has been specified in article 2 of the Regulation on Implementation of the Law on Foreign Trade in Arms and Dual Use Goods and Technologies, it being the Commission on Control and Permission of Foreign Trade in Arms and Dual Use Goods and Technologies at the Ministry of the Economy. The Commission is chaired by the Minister of Economy and includes representatives of the Ministry of the Economy, the Ministry of Defence, the Ministry of the Interior and the Ministry of Foreign Affairs.

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Besides the above-mentioned normative acts regulating foreign trade in arms and dual-use goods and technologies, there is Decree No. 91 of the Council of Ministers of 4 April 2001 confirming the list of States and organizations against which the Republic of Bulgaria enforces bans or restrictions on the sale and supply of arms and related equipment in accordance with United Nations Security Council resolutions and the decisions of the European Union and the Organization for Security and Cooperation in Europe. In the Decree Somalia is included under number 17.

These normative documents provide the necessary legal and administrative framework for effective adherence to the arms embargo imposed on Somalia under Security Council resolution 733 (1992). It is necessary to emphasize that the Commission on Control and Permission of Foreign Trade in Arms and Dual Use Goods and Technologies has not issued a permit for the export of arms and military equipment to Somalia.